

ASSEMBLY BILL

No. 2975

Introduced by Assembly Member Hancock

February 24, 2006

An act to add Article 4.3 (commencing with Section 52060) to Chapter 6.1 of Part 28 of the Education Code, relating to academic accountability.

LEGISLATIVE COUNSEL'S DIGEST

AB 2975, as introduced, Hancock. Public schools: state and federal accountability.

Existing federal law requires that each school demonstrate Adequate Yearly Progress and bases this measurement, in part, on the level of proficiency achieved by pupils in that school, as shown through standardized testing and as determined by each state, in order to not have to meet additional, program improvement requirements. Existing state law requires pupils to take specified standardized tests, including the high school exit examination, except as specified.

This bill would require the definition of “proficient” for the purposes of calculating Adequate Yearly Progress under the federal No Child Left Behind Act as it relates to the requirements for grades 9 to 11, inclusive, shall be set at the level needed to pass the state high school exit examination, as of July 1, 2007. The bill would require the state board to define “proficient” for grades 2 to 8, inclusive, at a level consistent with developing the skills needed to pass the high school exit examination for each grade and subject area, as of July 1, 2007. This bill would require the state board to report to the education and budget committees of the Legislature on its plan for implementing the changes to the definition of “proficient” by March 31, 2007. The bill would require the plan to include the date the board will submit the

change in the definition of “proficient” to the United States Department of Education, an estimate of how the change will affect the likelihood that each school and district in the state will make Adequate Yearly Progress under the federal act in 2007, and a plan for notifying each school and district of the change and how it affects their status under the accountability provisions contained in the federal act.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Article 4.3 (commencing with Section 52060) is
2 added to Chapter 6.1 of Part 28 of the Education Code, to read:

3
4 Article 4.3. Alignment of State and Federal Accountability
5 Programs
6

7 52060. (a) The Legislature finds that, with the enactment of
8 the federal No Child Left Behind Act of 2001 (20 U.S.C. Sec.
9 6301 et seq.), the federal government created school and district
10 accountability requirements that measure improvements in pupil
11 accountability differently than the state Public Schools
12 Accountability Act, established pursuant to this chapter.

13 (b) The Legislature also finds that, for grades 2 to 8, inclusive,
14 the state board has defined “proficient,” for the purposes of the
15 federal act, as equivalent to scoring at the proficient or advanced
16 levels of the assessments in the state Standardized Testing and
17 Reporting (STAR) program. For high school, the state board
18 defined “proficient” for the purposes of the federal act as a score
19 on the high school exit examination that is significantly above
20 the passing score for the test.

21 (c) The Legislature further finds that the definition established
22 by the state of “proficient” for the purposes of the federal act:

23 (1) Labels about two-thirds of pupils in grades 2 to 12,
24 inclusive, in California as not proficient.

25 (2) Establishes California as one of a few states with a very
26 large proportion of pupils who are not considered proficient
27 under the federal act.

1 (3) Creates conflicts for pupils, teachers, and administrators in
2 understanding the expectations of the state under the state Public
3 Schools Accountability Act, the state high school exit
4 examination, and the federal No Child Left Behind Act of 2001.

5 (4) Contradicts the emphasis in the Public Schools
6 Accountability Act and the high school exit examination on
7 increasing the performance of low-performing pupils.

8 (d) Therefore, the Legislature declares that action is needed to
9 align the state and federal assessment and accountability
10 programs.

11 52061. (a) As of July 1, 2007, “proficient,” for the purposes
12 of calculating adequate yearly progress under the federal No
13 Child Left Behind Act of 2001 (20 U.S.C. Sec. 6301 et seq.),
14 shall be defined by the state according to the following:

15 (1) For grades 9 to 11, inclusive, “proficient” means the level
16 of achievement needed to pass the state high school exit
17 examination.

18 (2) For grades 2 to 8, inclusive, “proficient” means a measure
19 consistent with the pupil achievement expected in each grade and
20 subject area in order to acquire the skills needed to pass the high
21 school exit examination in grade 10, 11, or 12.

22 (b) By March 31, 2007, the state board shall report to the
23 education and budget committees of the Legislature on its plan
24 for implementing the change required in subdivision (a). The
25 plan shall include:

26 (1) The date the board shall submit the change in the definition
27 of “proficient” to the United States Department of Education.

28 (2) An estimate of how the change is likely to affect the
29 likelihood that each school and school district in the state will
30 make adequate yearly progress under the federal No Child Left
31 Behind Act of 2001 in 2007.

32 (3) An approach for how each school and school district shall
33 be notified of the change and how it affects their status under the
34 accountability provisions contained in the federal act.